UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MASSACHUSETTS

UNITED STATES OF AMERICA,) v.) KINGSLEY R. CHIN,) ADITYA HUMAD, and) SPINEFRONTIER, INC.,) Defendants.)	Criminal No. 1:21-cr-10256-IT

DEFENDANTS' MOTION TO DISMISS COUNTS ONE THROUGH SEVEN AND/OR REQUEST FOR AN EVIDENTIARY HEARING AND *IN CAMERA* INSPECTION OF GRAND JURY TRANSCRIPTS

Defendants Kingsley R. Chin, Aditya Humad, and SpineFrontier, Inc. respectfully submit this motion to dismiss Counts One through Seven of the Indictment. In the event the Court does not find it appropriate to dismiss on the papers, the defendants respectfully request an evidentiary hearing concerning the government's awareness of exculpatory information when it presented contrary information to the Grand Jury, along with an *in camera* inspection of Grand Jury transcripts that the government has withheld, including the legal instructions the government provided to the Grand Jury.

In accordance with Local R. 7.1(b)(1), defendants respectfully submit herewith a memorandum in support of this motion.

Respectfully submitted,

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Certificate of Service

The undersigned certifies that this document, filed through the ECF system, will be electronically served on counsel who are registered users of ECF on January 26, 2024.

/s/ Barry S. Pollack

Local Rule 7.1 Certification

The undersigned certifies that counsel for the defendants conferred in good faith with counsel for the government on multiple occasions by email, letters, and phone/video conferences concerning this motion, and were unable to resolve or further narrow the issues presented herein.

/s/ Barry S. Pollack